

Message Text

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ACTION EB-08

INFO OCT-01 ARA-10 ISO-00 CAB-02 CIAE-00 COME-00
DODE-00 DOTE-00 INR-10 NSAE-00 FAA-00 L-03 NSC-05
SS-15 /054 W

-----041465 071617Z /14

P 071447Z APR 78

FM AMEMBASSY CARACAS

TO SECSTATE WASHDC PRIORITY 1854

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FOR DEPUTY ASST. SECRETARIES BILLER AND ARELLANO
FROM AMBASSADOR VAKY

E.O. 11652: N/A

TAGS: EAIR, VE

SUBJECT: CIVAIR - GROWING PROBLEMS WITH THE GOV

REF: (A) CARACAS 3064; (B) LETTER FORM CLAC-I.M.
FERRARI; (C) CARACAS 2801; (D) CARACAS 2527;
(E) CARACAS 1328; (F) CARACAS 1304;
(G) 77 CARACAS 12414; (H) 77 CARACAS 12391;
(I) 77 CARACAS 8389

SUMMARY: I WOULD LIKE TO CALL YOUR ATTENTION TO A
PROBLEM WITH THE VENEZUELAN WHICH, IF NOT ADDRESSED
SOON, CAN LEAD TO A SERIOUS DETERIORATION IN OUR BI-
LATERAL CIVIL AVIATION RELATIONSHIP. IT EVEN ADUMBRATES
AN EQUALLY SERIOUS DETERIORATION HEMISPHERE-WIDE (SEE
PARA 6 BELOW). OVER THE PAST SEVERAL MONTHS THERE HAS
DEVELOPED A COMMUNICATIONS GAP WHICH HAS AFFECTED
RESOLUTION OF A NUMBER OF PROBLEMS DESCRIBED BELOW.
THE VENEZUELAN ARE CONCERNED ABOUT MAJOR CHANGES IN
U.S. AVIATION POLICY AND HOW THESE POLICY CHANGES ARE
IMPLEMENTED IN THE CONTEXT OF OUR BILATERAL CIVIL
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AVIATION AGREEMENT, AND THE STYLE WITH WHICH WE
HAVE HANDLED THEM HAS BEEN SUFFICIENTLY INSENSITIVE
AS TO COMPOUND THE PROBLEM. TO ARREST THE DRIFT
TOWARD A DETERIORATION IN OUR BILATERAL RELATIONS,
QUICK ACTION IS REQUIRED. PART OF THE PROBLEM
IS PSYCHOLOGICAL; THE GOV BELIEVES WE HAVE NOT BEEN
RESPONSIVE TO THEIR CONCERNS, BUT HAVE BEEN TAKING

UNILATERAL DECISIONS IN BASIC AREAS SUCH AS TARIFFS. OUR STYLE UP TO NOW HAS ONLY INTENSIFIED THAT BELIEF. I BELIEVE A SECOND MEETING (FORMAL OR INFORMAL) BETWEEN OUR TWO GOVERNMENTS MAY BE NECESSARY. THE LAST SUCH MEETING, WHICH TOOK PLACE MARCH 1-2, WAS CLEARLY UNSATISFACTORY TO THE VENEZUELAN FOR REASONS STATED IN THE REFTELS. I DON'T WANT A REPETITION OF THIS EXPERIENCE. THEREFORE, BEFORE SUCH A MEETING IS SCHEDULED, WE NEED TO DEVELOP CLEAR POSITIONS ON ALL OF THE ISSUES DESCRIBED BELOW; I SOLICIT YOUR COOPERATION IN ACHIEVING THIS. END SUMMARY.

2. CONFUSION ABOUT 7S, CIVIL AVIATION POLICIES AND OPERATING PROCEDURES IN THE MINDS OF THE VENEZUELAN AUTHORITIES WHO PARTICIPATED IN MARCH 1 MEETINGS IN WASHINGTON IS A GROWING PROBLEM THAT WE STILL HAVE A CHANCE TO MANAGE, BUT NOT FOR MUCH LONGER. VENEZUELAN CONCERN HAS TURNED TO ANNOYANCE THAT HAS BEEN MANIFESTED IN MODEST HARRYING OF PAN AMERICAN HERE (REF C). THIS ANNOYANCE IS HARDENING INTO A MORE INTRANSIGENT ATTITUDE THAT WILL SOON JEOPARDIZE A GOOD, LONG-STANDING CIVIL AVIATION RELATIONSHIP. THE EVENTS WHICH THE GOV BELIEVES HAVE LED TO THIS INCLUDE:

(A) INSTITUTION OF NEW BAGGAGE RULE WITHOUT TAKING INTO ACCOUNT MECHANISM OF BILATERAL. GOV PROTEST LIMITED OFFICIAL USE

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UNDER BILATERAL WAS DISREGARDED AND NO REPLY TO PROTEST WAS RECEIVED (REF E).

(B) FAILURE TO REPLY TO GOV NOTE INQUIRING ABOUT USG ATTITUDE REGARDING NEW IATA RATE TARIFF AND REFUSAL TO ACCEPT VIASA FILING OF THIS RATE PACKAGE (REF I).

(C) FAILURE TO REPLY TO INQUIRIES BY GOV REGARDING NEW POLICIES IN HANDLING SUCH FILINGS (REF I).

(D) FAILURE TO RESPOND ADEQUATELY TO REQUEST FOR INFORMAL TALKS IN WASHINGTON IN THE SENSE THAT THE QUESTIONS RELATED TO THE ABOVE WERE, IN THE OPINION OF THE GOV, NOT ANSWERED.

3. IN SHORT, THE VENEZUELAN AUTHORITIES DO NOT FEEL THAT WE HAVE FOLLOWED THE PROCEDURE SET FORTH IN OUR BILATERAL AGREEMENT AND SUBSEQUENT MEMORANDA. THEY ARE CONCERNED OVER THE ABRUPT ABANDONMENT OF THE OLD IATA-LINKED PROCEDURE WITHOUT HAVING BEEN INFORMED ABOUT A REPLACEMENT MECHANISM. THEY ARE CONTEMPLATING AT THIS POINT REQUESTING FORMAL CONSULTATIONS UNDER ARTICLE 10 AND 11 OF THE BILATERAL AGREEMENT IN ORDER

TO AMEND SECTION VI IN ORDER TO RE-ESTABLISH A FIRM PROCEDURE
BASED ON AN UNDERSTANDING ON HOW THE U.S. INTENDS TO OPERATE.

4. THE VENEZUELANAS ARE AWARE THAT THERE IS A NEW U.S. POLICY
OF MORE OPEN COMPETITION AND BETTER SERVICE TO THE PUBLIC
BUT THEY DO NOT UNDERSTAND HOW THIS TRANSLATES INTO PRACTICE
AND WHAT THIS HAS TO DO WITH THE RATE FILING AND ACCEPTANCE
MECHANISM OF THE BILATERAL.

5. IN AN EFFORT TO AVOID FURTHER DETERIORATION IN OUR BILATERAL
CIVIL RELATIONS, I HAD VENEZUELAN CIVIL AVIATION AUTHORITIES TO
LUNCH
TO HEAR THEIR VIEWS AND PERCEPTIONS. WHILE PART OF THE PROBLEM
PERHAPS STEMS FROM A MISUNDERSTANDING OF OUR NEW GOALS A LARGER
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PART OF THE PROBLEM IS THEIR LACK OF UNDERSTANDING AND THEIR
CONCERN AS TO WHAT WILL REPLACE THE OLD PROCEDURES AND
OPERATING MODES THAT THE VENEZUELANAS CLAIM THEY HAVE BEEN
TOLD DURING THE WASHINGTON TALKS HAVE BEEN ABANDONED.

6. THE PREOCCUPATIONS OF THE VENEZUELANAS AT LEAST ON THE
TARIFF ISSUE, ARE COMING TO THE FORE ELSEWHERE. AT THE MARCH
ASSEMBLY OF THE LATIN AMERICAN CIVIL AVIATION COMMISSION,
ARGENTINA, BRAZIL, CHILE AND HONDURAS AGREED TO FOLLOW IATA
IN SETTING RATES AND VENEZUELA HAS BEEN INVITED TO SUPPORT
THIS MEASURE, WHICH IT APPARENTLY INTENDS TO DO. ACCORDING
TO THE GOV, THIS ACTION WAS DIRECTED AGAINST THE U.S.

7. POSSIBLY ANOTHER FORMAL MEETING INCLUDING EXPERIENCED
ARA AND EB PARTICIPATION WOULD BE USEFUL, ALTHOUGH THE
VENEZUELANAS HAVE INFORMED ME THAT THEY INTEND TO INSIST UPON
FORMAL TALKS UNDER ARTICLES 10 AND 11 FOR THE PURPOSE OF
RE-NEGOTIATING THE CONTENTS OF SECTION VI OF THE BILATERAL.

8. I WOULD LIKE TO RESPOND POSITIVELY TO WHAT IS AT THIS POINT
A VEXING MATTER FOR CIVIL AVIATION OFFICIALS HERE BUT WHICH HAS
THE POTENTIAL TO BECOME A MAJOR PROBLEM.
VAKY

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLICIES, AIR TRANSPORTATION, DIPLOMATIC PROTESTS, AVIATION AGREEMENTS, AVIATION REGULATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 07 apr 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978CARACA03216
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780150-1143
Format: TEL
From: CARACAS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780482/aaaacrqe.tel
Line Count: 159
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 74a6d4b4-c288-dd11-92da-001cc4696bcc
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 CARACAS 3064
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3045333
Secure: OPEN
Status: NATIVE
Subject: CIVAIR - GROWING PROBLEMS WITH THE GOV
TAGS: EAIR, VE, US
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/74a6d4b4-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014